

Appl. No. : 09/869,408
Filed : October 1, 2001

REMARKS

In the Office Action of August 17, 2006, the Examiner rejected Claims 1-33. Claims 8, 18, 27, 28, 29, 31 have been amended. No new matter has been added. Thus, Claims 1-33 are presented for further examination. Reconsideration and allowance of all Claims in light of the present remarks is respectfully requested.

Discussion of Rejections Under 35 U.S.C. § 112 ¶2

Claims 1-3, 8, 11, 18, 20, 22, 23, 27-29, 31, and 33 were rejected as being indefinite.

Claims 1-3, 8, 11, 18, 22, 23, 27-29, 31, and 33 were rejected due to insufficient antecedent basis for “said service data” and/or for “said protocol.” Applicant respectfully submits that the antecedent basis for “said service data” can be found in line 4 of Claim 1, and that antecedent basis for “said protocol” is found starting in line 6 and continuing to line 7 of Claim 1.

Claims 8, 18, 28, and 31 were rejected due to insufficient antecedent basis for “said service area.” Claims 8, 18, 28, and 31 have been amended to recite “a service area.”

Claims 11, 20, and 33, were rejected due to insufficient antecedent basis for “said call.” Applicant respectfully submits that the antecedent basis for “said call” can be found in line 2 of Claim 11.

Claims 27 and 28 were rejected due to insufficient antecedent basis for “said call.” Claim 27 has been amended to recite “a user initiated communications call” in line 1, and thus provides antecedent basis.

Claim 29 was rejected due to insufficient antecedent basis for “said call.” Applicant respectfully submits that the antecedent basis for “said call” can be found in line 2 of Claim 29.

Claim 31 was rejected due to insufficient antecedent basis for “said user initiated call.” Applicant respectfully submits that the antecedent basis for “said user initiated call” can be found in line 2 of Claim 1.

Claim 11 was rejected due to insufficient antecedent basis for “said switch.” Applicant respectfully submits that the antecedent basis for “said switch” can be found in line 2 of Claim 11.

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Claim 27 was rejected due to insufficient antecedent basis for “said switch.” Applicant respectfully submits that the antecedent basis for “said switch” can be found in line 5 of Claim 27.

Claim 28 was rejected due to insufficient antecedent basis for “said switch.” Applicant respectfully submits that the antecedent basis for “said switch” can be found in line 2 of Claim 28.

Claim 29 was rejected due to insufficient antecedent basis for “said switch.” Applicant respectfully submits that the antecedent basis for “said switch” can be found in line 2 of Claim 29.

Discussion of Rejections Under 35 U.S.C. § 102(e)

Claims 1-4, 7-14, 17-21, 23, 24, and 27-33 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,072,857 to Ventkateshwaran, et al. Ventkateshwaran discloses “a method and system of monitoring the operational status of a network element in an advanced intelligent network” (see abstract). Applicant respectfully submits that Ventkateshwaran does not disclose all of the elements of Claim 1. For example, Ventkateshwaran does not disclose a network with a network switch configured to process characteristic data associated with a communications call to determine if intelligent network (IN) service data is required to establish the call. The service switching point (SSP) of Ventkateshwaran receives a call, after which the SSP “formulates a query and sends the query to a first intelligent network element.” There is no disclosure of the SSP determining if intelligent network (IN) service data is required to establish the call. Furthermore, Ventkateshwaran does not disclose a network with a Visitor Intelligent Network configured to determine a communication protocol, the communication protocol being required to establish said call, wherein the protocol is obtained from a Home Intelligent Network (HIN). Indeed, Ventkateshwaran does not disclose a network configured to determine a communication protocol.

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Accordingly, Applicant respectfully submits that Claim 1 is in condition for allowance. Furthermore Applicant respectfully submits that Claims 11, and 27-29 are in condition for allowance for reasons similar to those discussed with regard to Claim 1.

In addition, Applicant does not necessarily agree with the Examiner's characterization of Ventkateshwaran with regard to the dependent claims, and respectfully submits that the dependent claims are in condition for allowance because of the features they inherit from the independent claims from which they depend and because of their own features.

Discussion of Rejections Under 35 U.S.C. § 103(a)

Claims 5, 6, 15, 16, 22, 25, and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ventkateshwaran in view of McConnell (US 5,517,562). McConnell discusses "a system and method for providing custom telephone services to a network of independent Service Providers" (see abstract). Applicant respectfully submits that the combination of Ventkateshwaran and McConnell does not disclose all of the elements of the independent claims. For example, the combination does not disclose the features discussed above with regard to Claim 1. Furthermore, Applicant does not necessarily agree with the Examiner's characterization of Ventkateshwaran and McConnell with regard to Claims 5, 6, 15, 16, 22, 25, and 26, and respectfully submits that these dependent claims are in condition for allowance because of the features they inherit from the independent claims from which they depend and because of their own features.

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Conclusion

If there are any issues remaining after a review of this reply, the Examiner is respectfully requested to call the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: 6/11/07

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